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Date: January 14, 2003 Planning Commission Meeting

Item No.

## MILPITAS PLANNING COMMISSION AGENDA REPORT

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Category: Public Hearings

Report Prepared by: Troy Fujimoto

Public Hearing: Yes:   ✓   No:       

Notices Mailed On: 1/2/04 Published On: 1/1/04 Posted On: 1/2/04

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**TITLE:** USE PERMIT NO. UP2003-50

Proposal: A request to operate a 72-seat take-out restaurant.

Location: 70 North Milpitas Boulevard

APN: 28-12-021

**RECOMMENDATION:** Approval with Conditions

Applicant: Panda Restaurant Group, 1683 Walnut Grove Avenue, Rosemead, CA 91770

Property Owner: Shapell Industries of Northern California, 100 North Milpitas Boulevard, Milpitas, CA 95035

Previous Action(s): "S" Zone Approval

General Plan Designation: Town Center

Present Zoning: Town Center with an "S" Zone Overlay (TC-S)

Existing Land Use: Vacant lot

Agenda Sent To: Applicant & Owner (same as above)

Attachments: Plans  
Letter of explanation dated, October 23, 2003

PJ#2359

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### BACKGROUND

Last year, the Planning Commission approved a 4,000 square feet retail pad building at this location.

#### Site Description

The project site is located on vacant/landscaped land south of the existing Starbuck's/Noah's retail building and to the west of the Shapell office building. Currently the site is being improved to accommodate the new retail building. The building will eventually have frontage off of North Milpitas Boulevard. The site has a zoning designation of Town Center with an "S" Zone overlay (TC-S).

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Neighboring land uses to the site include retail and office uses to the east, retail and residential uses to the north, the civic center and library to the south and retail uses to the west.

## THE APPLICATION

The applicant is requesting approval of a Use Permit, pursuant to Section 22.04-9 (restaurants) and Section 57 (Use Permits) of the zoning ordinance for a 72 seat take-out restaurant. The applicant is proposing to locate in a portion of the recently approved retail pad building at the front of the Shapell office building.

## PROJECT DESCRIPTION

**Floor Plan:** The layout for the proposed restaurant will include kitchen and storage facilities at the northwest end of the space with a take out counter in a backwards “L” shape in the middle of the space and seating towards the southeast. In addition, the applicant is proposing 24 outdoor seats to the south of the building in a patio area.

**Parking:** Parking demand for the proposed project is illustrated in the table below.

Use	Square Feet/Seats	Parking Requirement
Restaurant Seats (take-out): 1 space per 2.5 seats	72 seats	29 spaces
Restaurant take out area, 1 space per 50 sf.	143 s.f.	3 spaces
	Total parking required	32
	Parking allocated for space	10
	Deficit	22
	On-site excess parking	32
	Excess parking after proposed use	10

When the building was constructed, the parking lot was modified and provided an excess amount of parking spaces at the site. The tenant space, which is approximately 2,000 square feet, was parked at retail. Thus, based on 2,000 square feet the space already has 10 parking spaces allocated and the site currently has 32 excess parking spaces. The use would require an additional 22 spaces. With excess parking, there is enough to accommodate the proposed use, and the site would now have an excess of 10 parking spaces.

**Trash/Recycling Enclosure:** When the retail building was approved, it included a trash enclosure that would be adequate to serve a restaurant at this location. The enclosure is located to the south of the building.

## ISSUES

## USE PERMIT FINDINGS

Any approval of a Use Permit or Use Permit Amendment requires that the Planning Commission make the following findings:

1. The proposed use is consistent with the Milpitas Zoning Ordinance.
2. The proposed use is consistent with the Milpitas General Plan.
3. The proposed use, at the proposed location will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety, and general welfare.

The following sections explain how these findings can be made for the proposed project, as conditioned.

### Conformance with the General Plan

The project conforms to the General Plan in that the use directly relates to:

**Implementing Policy 2.a-I-3**, which encourages economic pursuits, which will strengthen and promote development through stability and balance,

**Implementing Policy 2.a-I-4**, which encourages to publicize Milpitas as a place to carry on commercial activities with an emphasis toward the advantages of the City's location to both commercial use,

**Implementing Policy 2.a-I-6**, which endeavors to maintain a balanced economic base that can resist downturns in any one economic sector, and

The proposed restaurant will add to the mix of retail businesses in the Town Center area and will help to increase the attraction and vitality of the area. In addition, the tenant has locations not only in California, but in other western states, as such, having one in Milpitas will publicize the City.

### Conformance with the Zoning Ordinance

The proposed project is located in the Town Center Zoning District (TC). Part of this district's purpose is to "to be considered the chief administrative, business, entertainment, and cultural center. It is also the meeting place for the City, a marketplace, a place for restaurants...and a focal place." The project, with recommended conditions of approval, complies with the City's zoning ordinance for the Town Center district, because it is a retail tenant in a multi-tenant building.

### Outdoor Seating

Any time outdoor seating is proposed in the City, it must adhere to Resolution No. 449, which includes guidelines for outdoor seating to ensure that the seating is being maintained in an orderly manner and not blocking any pedestrian access. Some of the guidelines that this business will be required to adhere to include keeping the seats and tables within the patio area, they shall not interfere with pedestrian movement, they shall be located away from service/loading areas, they shall be uniform in design and durable and maintenance free, a trash receptacle shall be in the vicinity, each table and seat shall be labeled with the restaurant name, and the restaurant shall be subject to a one time six month review.

### Neighborhood/Community Impact

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The proposed restaurant is expected to have a positive community impact by providing a complementary business to the existing uses in the Town Center area. The space has a trash enclosure that will accommodate garbage generated from the restaurant and there is adequate parking on the site. In addition, the project is conditioned to ensure that the proposed outdoor seating area will be maintained and appear in an orderly fashion. Staff concludes that the restaurant as conditioned, will not negatively impact the surrounding neighborhood.

## RECOMMENDATION

Close the Public Hearing. Approve the Use Permit No. UP2003-50, based on the Findings and Special Conditions of Approval listed below.

## FINDINGS

1. The proposed project is categorically exempt from further environmental review pursuant to Class 1, Section 15301 (Existing Facilities) of the state CEQA Guidelines.
2. The proposed restaurant is consistent with the City of Milpitas Zoning Ordinance and General Plan in terms of land use and development standards for the Town Center zoning district because the use is a conditional use in the TC zoning district.
3. As conditioned the proposed restaurant use will not be detrimental or injurious to the public health, safety, and general welfare to adjacent future tenants or the surrounding community because the proposed restaurant will include a new garbage enclosure.
4. The proposed restaurant, as conditioned, will not impact parking at the site because the site has adequate excess parking spaces to accommodate the 22 additional parking spaces that the restaurant is required.

## SPECIAL CONDITIONS FROM PLANNING DIVISION

1. This Use Permit No. UP2003-50 approval is for an approximate 2,000 square foot, 72 seat restaurant, with 143 square feet of take out area, as shown on approved plans dated January 14, 2004, except as may be otherwise modified by these conditions of approval. Modifications to the proposed use may require review and approval by the Planning Commission of an amendment to this Use Permit. (P)
2. The maximum approved number of indoor seating is 48 seats and maximum number of outdoor seats is 24. Prior to issuance of a certificate of occupancy for this use, a sign measuring at least 8 1/2 inches by 11 inches shall be placed in a conspicuous location near the restaurant front entrance stating "Maximum indoor seating: 48, and maximum outdoor seating: 24, as per Use Permit No. UP2003-50 granted by the Planning Commission on January 14, 2004." The minimum letter height of "Maximum seating: 48 and maximum outdoor seating : 24" shall be at least 3/4 inch. (P)
3. All roof-top equipment shall be shielded from view in a manner to the approval of the Planning Commission or its designee as specified in Section XI-10-42.10-2 of the Milpitas Municipal Code. Prior to the issuance of any permit for any roof-top equipment which projects above the height of any existing parapet wall or screen, detailed architectural plans for the screening of this equipment and/or line-of-sight view analysis demonstrating that the equipment will not be visible from surrounding view points shall be reviewed and approved as specified in Section XI-10-42.10-2 of the Milpitas Municipal Code, in order to assure the screening of said equipment is in keeping with and in the interest of good architectural design principles. (P)

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4. For new or relocated transformers or utility boxes on existing developed sites, refer to Section XI-10-42.10-2 of the Milpitas Municipal Code. (P)
5. This use shall be conducted in compliance with all appropriate local, state and federal laws and regulations. (P)
6. No approval of building signs is part of this permit. This will require additional City review. (P)
7. The business owner shall hold training sessions to instruct their employees on the proper procedures in the handling and disposal of food items; the general maintenance and use of the compactor and any other procedures that would assist the business in complying with all state and local health and sanitation standards (refer to the County of Santa Clara Department of Environmental Health at (408) 729-5155 for their guidelines). (P)
8. The business owner shall post signs (in English, and in one or more of the following other languages: Vietnamese, Chinese, Filipino Spanish) inside the premises for all employees, which identify procedures for the food delivery and disposing of garbage prior to the issuance of a certificate of occupancy. (P)
9. The preparation and storage of food is not permitted outside of the establishment. (P)
10. Washing of containers, equipment, and floor mats shall be conducted in the kitchen area so that wash water may drain into the sanitary sewer in perpetuity. (P)
11. Prior to issuance of a certificate of occupancy, the business owner shall submit a report detailing a program assigning restaurant staff perpetual responsibility for complying with the following guidelines (P)
  - a. Keep garbage dumpsters clean inside and out; replace dirty or leaking dumpsters with new, clean ones.
  - b. Double or triple bag waste to prevent leaking.
  - c. Place, do not drop or throw, waste-filled bags, to prevent leaking.
  - d. Keep the ground under and around the garbage dumpsters swept.
  - e. Sprinkle the ground lightly after sweeping with a mixture of water and a little bleach.

It is expected that Best Management Practices for solid waste handling will advance over time, thus it is the expectation that the applicant will modify their practices in accordance with future standards.
12. The location of the outdoor seating and tables shall be within the patio area. (P)
13. The outdoor seating shall not encroach in front of any other business except that which the use permit applies. (P)
14. Outdoor seats or other obstacles shall not interfere with any pedestrian movement within a shopping center and shall have aisle-ways a minimum of four (4) contiguous feet in width. It shall be the responsibility of the business to ensure that the minimum four (4) foot aisle-ways are maintained at all times. (P)
15. Outdoor seats shall be separated from any pedestrian and automobile traffic paths and shall minimize conflict areas for safety. (P)



16. Outdoor seats placement shall provide for walkways to connect adjacent parking lots to building entrances. (P)
17. Outdoor seats shall not interfere with any designated bicycle parking area of facility. (P)
18. Outdoor seating shall be located away from any service/loading areas. (P)
19. All tables, seats and umbrellas shall be uniform in design, sturdy and be of a durable quality, and relatively maintenance free. (P)
20. All tables shall be cleaned after the diners have vacated the premises. (P)
21. Umbrellas used in conjunction with tables shall have a clearance height so as not to hinder pedestrians. The use of umbrellas under eaves, canopies or overhangs is discouraged. (P)
22. Storage of outdoor seats and tables is not acceptable unless within the patio area. (P)
23. A trash receptacle shall be located in the general vicinity of the outdoor seats. (P)
24. Each table and seat shall show the name of the restaurant to which it belongs. (P)
25. Within six (6) months of the issuance of a Certificate of Occupancy for the restaurant, the Planning Commission shall review the outdoor seating to ensure that the outdoor arrangements are meeting the applicable outdoor seating conditions of approval. (P)
26. If at the time of application for building permit there is a project job account balance due to the City for recovery of review fees, review of permits will not be initiated until the balance is paid in full. (P)
27. If at the time of application for a certificate of occupancy there is a project job account balance due to the City for recovery of review fees, a certificate of occupancy shall not be issued until the balance is paid in full. (P)

#### **SPECIAL CONDITIONS FROM ENGINEERING DIVISION**

1. The issuance of building permits to implement this land use development will be suspended if necessary to stay within (1) available water supplies, or (2) the safe or allocated capacity at the San Jose/Santa Clara Water Pollution Control Plant, and will remain suspended until water and sewage capacity are available. No vested right to the issuance of a Building Permit is acquired by the approval of this land development. The foregoing provisions are a material (demand/supply) condition to this approval.
2. Applicant shall be responsible for the trash collection and recycling services account. Prior to occupancy permit issuance, the applicant shall submit evidence to the City that the following minimum refuse and recycling services have been subscribed with BFI for commercial services:
  - a. An adequate level of service for trash collection.
  - b. An adequate level of recycling collection.
  - c. Applicant shall maintain a Tallow account inside the enclosure and keep the tallow bins clean.After the applicant has started its business, BFI commercial representative shall determine the adequacy of the solid waste level of services. If services found to be inadequate, applicant shall increase the service to the level determined by the evaluation. For general information, contact BFI at (408) 432-1234, x-264.

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*Panda Express Restaurant*

3. The developer shall submit a Sewer Needs Questionnaire and/or Industrial Waste Questionnaire with the building permit application and pay the related fees prior to Building Permit issuance by the Building Division. Contact the Land Development Section at (408) 586-3329 to obtain the form(s). (E)

(P) = Planning Division

(E) = Engineering Division

Date: October 23, 2003  
Address: 60 N. Milpitas Blvd.

**CONDITIONAL USE PERMIT  
LETTER of EXPLANATION  
For  
PANDA EXPRESS**

The applicant is proposing a Panda Express restaurant at the approved Shapell Office Building II in the Southeast corner of Town Center Drive and North Milpitas Boulevard. The proposed use is consistent with The Milpitas Zoning Ordinance.

The restaurant is approximately 2,030 square feet and consists 48 indoor seats and 24 outdoor patio seats. It is proposed to operate 7 days a week from 11 a.m. to 10 p.m. Chinese fast food will be served in this restaurant and customers will have the option to dine-in, or take-out.

The operation of the restaurant is by three employees per shift with two shifts per day. Customers will be served with single use utensil. Food will be prepared in the kitchen and served at the service counter in pan food warmers. Beverage is self-served at the drink counter through the beverage dispenser. There will be no alcoholic beverage sold at the establishment.



## GENERAL FINISH NOTES

- ALL SURFACES TO RECEIVE PAINT FINISH SHALL BE PREPARED TO SHOW NO DEFECTS.  
A. APPLY ONE (1) COAT PRIMER-SEALER.  
B. APPLY TWO (2) COATS FINISH. NO STUFFLE FINISHES ON ALL PAINTED SURFACES. SEE SCHEDULE ON PLANS FOR COLOR AND TYPE.
- ALL INTERIOR GYPSUM BOARD TO RECEIVE PAINT FINISH SHALL BE TAPED, SEALED, AND SANDED TO RECEIVE FINISH. GYPSUM BOARD SANDING TOP OF STAIRCASES SHALL ONLY BE TAPED AND SANDED. ALL INTERIOR GYPSUM BOARD TO BE TRUE AND LEVEL.
- GYPSUM BOARD SHALL EXTEND AT MINIMUM OF 8" ABOVE LAY-IN CEILING SYSTEMS OR UP TO GYPSUM BOARD CEILING BOARD ON DOWNING WALLS SHALL EXTEND TO THE STRUCTURE ABOVE UNLESS OTHERWISE NOTED.
- ALL GRILLS SHALL BE PAINTED TO MATCH THE CEILING OR ADJACENT WALL FINISH.
- ALL FLOORS SHALL BE SMOOTH AND LEVEL WITHOUT DEPRESSIONS OR RAGGED AREAS. EXCEPT PROVISION SHALL BE MADE TO HAVE SMOOTH, EVEN SLOPE TO FLOOR DRAINS. THE SURFACE SHALL BE ACCEPTABLE TO RECEIVE FINISH.
- VERIFY AND COORDINATE THE LOCATION OF ALL WALL OR CEILING ACCESS PANELS WITH THE ARCHITECT.
- PROVIDE METAL CORNER BEAD, TRIM AND CHASE FOR ALL EDGES AND CORNERS OF GYPSUM BOARD SURFACES ON PAINTED WALLS. CHASE GYPSUM BOARD CORNERS WITHOUT METAL CORNER BEAD SHALL BE UNDER FPP, TILE OR STAINLESS STEEL.
- PROVIDE DIFFUSERS, BRACKETS, BACK-UP PLACES, ETC. AS REQUIRED AT STUD WALLS FOR SUPPORT OF FIXTURES AND OTHER EQUIPMENT.
- ALL EXISTING SURFACES SHALL BE INSPECTED AND ALL NECESSARY PREPARATORY WORK SHALL BE DONE IN ORDER TO RECEIVE NEW FINISHES.
- BEFORE PAINTING OR FINISHING WORK IS TO BEGIN, ARRANGEMENTS SHALL BE MADE FOR PROPER VENTILATION AND LIGHTING IN ALL AREAS.
- ALL FLOOR MATERIAL CHANGES SHALL OCCUR AT DOOR CENTRELINES UNLESS OTHERWISE NOTED.
- FLOOR MATERIALS SPECIFIED ON THE FINISH SCHEDULE SHALL EXTEND UNDER ALL EQUIP AND COUNTER AREAS.
- FLOOR CONTRACTOR SHALL SUBMIT TO OWNER THREE COPIES OF MANUFACTURER'S MAINTENANCE MANUALS FOR THE FLOOR MATERIALS INSTALLED.
- ALL TILE SHALL BE INSTALLED IN ACCORDANCE WITH THE RECOMMENDATIONS CONTAINED IN THE HANDBOOK FOR CERAMIC TILE INSTALLATION OF THE TILE COUNCIL OF AMERICA (CURRENT EDITION).
- ALL INTERIOR FINISHES SHALL COMPLY WITH APPLICABLE LOCAL CODES AND REGULATIONS.
- EACH SUBCONTRACTOR SHALL BE RESPONSIBLE TO VERIFY ADEQUATE SURFACE CONDITIONS THAT EXIST FOR THEIR WORK. IF ADEQUATE SURFACE CONDITIONS DO NOT EXIST THE SUBCONTRACTOR SHALL NOT PERFORM THEIR WORK UNTIL THE CONDITION IS CORRECTED.
- CONTRACTOR TO FELD VERY EXISTING CONDITIONS AND DIMENSIONS.
- ALL TILE DIMENSIONS ARE DESIGNED TO LAY OUT IN AN EQUAL MANNER. IF TILE MUST BE CUT, THE GROUT LINE SHALL ALIGN WITH ADJACENT TILES OR BE CONTROLLED AND CUT IN CRITICAL LOCATIONS. THE GENERAL CONTRACTOR SHALL COORDINATE THE INSTALLATION OF GYPSUM BOARD WITH TILE DIMENSIONS TO PERMIT EVEN INSTALLATION.

# PANDA EXPRESS



MILPITAS TOWN CENTER  
60 NORTH MILPITAS BLVD.  
MILPITAS, CA 95035

## GENERAL NOTES

- IT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO FULLY EXAMINE THE TENANT SPACE, ALL EXISTING STRUCTURES AND ALL OTHER EXISTING STRUCTURE ON THE PROJECT SITE BEFORE COMMENCING THE WORK. GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS (VERTICAL, HORIZONTAL AND OTHERWISE), AS WELL AS TO VERIFY THE CONDITIONS AND NATURE OF THE TENANT CONSTRUCTION MATERIALS AND AVAILABLE UTILITIES AND STRUCTURAL ELEMENTS AND TO NOTIFY THE OWNER'S REPRESENTATIVE IN WRITING OF ANY AND ALL DISCREPANCIES BETWEEN THE SAID EXISTING CONDITIONS AND THEIR DRAWINGS. FURTHER, IT SHALL BE THE JOINT RESPONSIBILITY OF THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS AND SUPPLIERS OF MATERIALS TO SECURE ALL NECESSARY PERMITS TO SAME AS REQUIRED FOR THEIR RESPECTIVE WORK PRIOR TO ORDERING, FABRICATING OR INSTALLATION OF ANY MATERIALS, EQUIPMENT OR COMPONENTS WHICH ARE TO BE INSTALLED INTO THE WORK OF THIS PROJECT. NO CLAIM FOR ADDITIONAL COMPENSATION SHALL BE MADE OR SHALL BE VALID UNLESS WRITTEN NOTIFICATION IS RECEIVED BY THE OWNER'S REPRESENTATIVE AND THE ADDITIONAL COMPENSATION IS APPROVED IN ADVANCE OF PROCEEDING WITH THE WORK.
- COMMENCEMENT OF WORK IN ANY AREA BY THE CONTRACTOR SHALL BE CONSIDERED AS THAT THE CONTRACTOR HAS CHECKED THE EXISTING CONDITIONS AND FOUND THEM TO BE SATISFACTORY TO ASSIST THE PORTION OF THE WORK.
- ALL WORK SHALL BE PERFORMED AS TO COMPLY WITH ALL GOVERNING STATUTES, ORDINANCES, REGULATIONS, CODES AND INSURANCE RATING BOARDS. NO WORK SHALL COMMENCE UNTIL ALL GOVERNMENTAL AND JURISDICTIONAL PERMITS AND APPROVALS ARE OBTAINED.
- ALL WORK SHALL BE PERFORMED IN A FIRST CLASS MANNER AND SHALL BE IN GOOD AND USABLE CONDITION AT THE DATE OF COMPLETION THEREOF.
- ALL WORK SHALL BE COORDINATED WITH THAT OF THE LANDLORD AND OTHER TENANTS IN THE CENTER SO THAT THE CONTRACTOR'S WORK SHALL NOT INTERFERE WITH OR DELAY THE CONSTRUCTION OF OTHER CONSTRUCTION IN THE SHOPPING CENTER.
- CONTRACTORS ARE REQUIRED TO GIVE THE LANDLORD TWENTY FOUR (24) HOURS ADVANCED WRITTEN NOTICE OF SAID WORK. FURTHERMORE, CONTRACTORS, SUBCONTRACTORS AND MATERIAL MEN AGREE TO COMPLY WITH ANY LANDLORD PROCEDURE HEREAFTER ADOPTED WHICH REQUIRE AND IS NOT LIMITED TO THESE PRESCRIBING TENANTS WORK AFTER REGULAR SHOPPING CENTER HOURS TO "SIGN IN" AND "SIGN OUT" WITH THE SHOPPING CENTER.
- ALL WORK SHALL BE PERFORMED IN A MANNER WHICH DOES NOT GENERATE NOISE, VIBRATION, ODOR OR DUST WHICH, IN LANDLORD'S SOLE DISCRETION, IMPAIRS WITH THE OPERATIONS OF THE SHOPPING CENTER OR THE CONDUCTING OF BUSINESS BY THE TENANTS THEREIN.
- UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR INSTALL OR PERMIT TO BE INSTALLED, ANY MATERIALS CONTAINING ASBESTOS WITHIN THE SHOPPING CENTER OR THE TENANT LEASE PREMISES.
- ALL WORK SHALL BE CONFINED TO THE PREMISES AND CONTRACTORS, SUBCONTRACTORS OR MATERIAL MEN ARE NOT PERMITTED TO PERFORM ANY OF SAID TENANT'S WORK (OR STORE ANY MATERIALS OR MACHINERY) OUTSIDE OF THE PREMISES, SUBJECT TO LANDLORD'S APPROVAL OTHERWISE.
- NO CONSTRUCTION MATERIAL OR DEBRIS SHALL BE PLACED IN ANY OF THE LANDLORD'S TRASH RECEPTACLES OR CONTAINERS AT ANY TIME. THE CONTRACTOR SHALL REMOVE (IF REQUIRED) TOP A TRASH CONTAINER, SIZE AND LOCATION OF WHICH IS SUBJECT TO LANDLORD'S APPROVAL, FOR THE REMOVAL OF REFUSE.
- THE ABBREVIATION OF "N.O." INDICATES WORK OR MATERIAL IS NOT IN THE CONTRACT OF THE GENERAL CONTRACTOR, HOWEVER THIS DOES NOT RELIEVE THE G.C. OF THE RESPONSIBILITY OF COORDINATION.
- REPAIR ALL DAMAGE OR INJURY CAUSED DURING CONSTRUCTION TO ANY AREA OF THE PROPERTY TO THE ORIGINAL CONDITION. PROTECT ADJACENT AREAS FROM DIRT AND DUST.
- ALL CONCEALED WOOD BLOCKING IN WALLS AND CEILING SHALL BE FLAME RETARDANT TREATED.
- ALL FIRE EXITS ARE TO REMAIN CLEAR AND OPEN DURING ALL PHASES OF CONSTRUCTION IF APPLICABLE.
- THE LOCATIONS OF EXISTING UTILITIES ARE SHOWN IN AN APPROXIMATE MANNER ONLY AND HAVE NOT BEEN INDIVIDUALLY VERIFIED BY THE OWNER OR HIS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT OCCUR BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PROTECT ANY AND ALL UTILITIES.
- THE TERM "OWNER" OR "TENANT" SHALL REFER TO PANDA EXPRESS AND ITS AGENTS OR REPRESENTATIVES. THE TERM "GENERAL CONTRACTOR" AND "G.C." SHALL REFER TO THE PERSON AND/OR PERSONS WHO HAVE CONTRACTED OR SUBCONTRACTED FOR THE WORK.
- ALL WALL & CEILING CONSTRUCTION SHALL BE SUPPORTED BY STRUCTURE & NOT BY METAL DECK IF APPLICABLE.
- CONTRACTOR SHALL SUBMIT (4) COPIES OF SPANNER/SHIP DRAWINGS FOR APPROVAL TO LANDLORD'S FIRE ENGINEER PRIOR TO CONSTRUCTION IF APPLICABLE.
- GENERAL CONTRACTOR SHALL CHECK-IN WITH LANDLORD'S ON SITE TENANT COORDINATOR PRIOR TO COMMENCING CONSTRUCTION.
- IN ADDITION TO THE GENERAL NOTES LISTED HEREIN, A.A. DOCUMENT A001 GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION SHALL APPLY.
- TENANT'S GENERAL CONTRACTOR SHALL ARRANGE AN ON-SITE MEETING WITH LOCAL WASTE MANAGEMENT PRIOR TO STARTING ANY PORTION OF THE WORK, SUBSEQUENT TO LANDLORD'S CONSTRUCTION RELEASE.

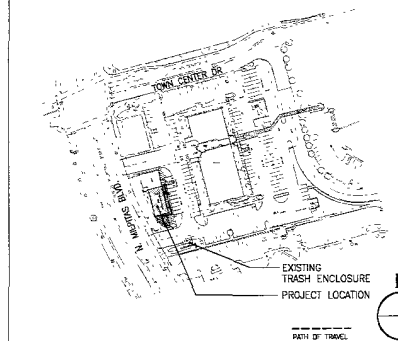
## VICINITY MAP

N.T.S.



## LOCATION MAP

N.T.S.



## ABBREVIATIONS

APP	ABOVE FINISHED FLOOR	IO	INDIRECT DRAIN
ALUM	ALUMINUM	INT	INTERIOR
BV	BALL VALVE (FULL PORT)	KBC	KIT-EX EQUIP. CONTRACTOR
C	CONDUIT	LL	LANDLORD
CO	CONDUIT ONLY	MC	MECHANICAL CONTRACTOR
CW	COLD WATER	N	NEW
(E)	EXISTING	NOC	NOT IN CONTRACT
EC	ELECTRICAL CONTRACTOR	NTS	NOT TO SCALE
BWH	ELECTRICAL WATER HEATER	OA	OUTSIDE AIR
EXT	EXTERIOR	OC	ON CENTER
PGF	FACE OF FINISH	PC	PLUMBING CONTRACTOR
FS	FACE OF STUD	RAR	RETURN AIR REGISTER
FS	FLOOR SINK	RI	ROUGH-IN
GC	GENERAL CONTRACTOR	STRUCT	STRUCTURE, STRUCTURAL
HW	HOT WATER	T.O.P.	TOP OF PARAPET
		T.O.S.	TOP OF SHEATHING
		WCO	WASTE CLEAN OUT

## SYMBOLS

(C1)	DOOR TYPE	(C)	CEILING FINISH
(W)	WINDOW TYPE	(T)	WALL FINISH
(FT)	FLOOR FINISH	(34)	KITCHEN EQUIPMENT
(W)	WALL TYPE	(101)	ROOM NUMBER
(1)	ELEVATIONS	(1)	STRUCTURAL GRID
(A)	SECTION	(1)	POINT OF ORIGIN
(A-2)	DETAIL		

## PROJECT DIRECTORY

<b>LANDLORD</b> PROPERTY OWNER LANDLORD ERIC SCHWARTZ SUNBELT INDUSTRIES OF NORTHERN CALIFORNIA 100 N. HASTINGS BOULEVARD MILPITAS, CA 95035 TEL 408-946-1560 X180 FAX 408-946-3057	<b>PANDA EXPRESS</b> OWNER PANDA RESTAURANT GROUP INC. 1863 WALNUT GROVE AVE ROSENDALE, CA 91770 TIM HONG, PROJECT MANAGER TEL 626-799-8889 X8261 FAX 626-372-8360 MECHANICAL PLUMBING ELECTRICAL HANK CHANG 1975 CONSULTING ENGINEERS, INC. 356 N. DIAMOND BAR BLVD #304 DIAMOND BAR, CA 91765 TEL 909-398-8163 FAX 909-395-8108
<b>JURISDICTIONAL AUTHORITIES</b> BUILDING AND SAFETY DEPARTMENT CITY OF MILPITAS 405 E. CALAVERAS BLVD. MILPITAS, CA 95035 TEL 408-585-3242 FIRE DEPARTMENT CITY OF MILPITAS 777 S. MAIN ST. MILPITAS, CA 95035 TEL 408-539-2800 ENVIRONMENTAL HEALTH DEPT COUNTY OF SANTA CLARA 2220 MIDWAY AVE. ROOM #100 SAN JOSE, CA 95127 TEL 408-299-9060	<b>BLDTR C</b> P. G. & E 11 ALAMOGADO BLVD. SAN JOSE, CA 95113 TEL 1800-743-8000 WATER CITY OF MILPITAS 405 E. CALAVERAS BLVD MILPITAS, CA 95035 TEL 408-585-2800 GAS P. G. & E 11 ALAMOGADO BLVD. SAN JOSE, CA 95113 TEL 1800-743-8000 TELEPHONE SBC SERVICE REPRESENTATIVE TEL 800-370-2365

## PROJECT INFORMATION

APPLICABLE CODES: ALL WORK UNDER THIS CONTRACT SHALL COMPLY WITH THE PROVISIONS OF THE SPECIFICATIONS AND DRAWINGS AND SHALL SATISFY ALL APPLICABLE CODES AND REGULATIONS OF ALL GOVERNING BODIES INVOLVED. ALL PERMITS AND LICENSES NECESSARY FOR THE PROPER EXECUTION OF THE WORK SHALL BE PROVIDED AND PAID FOR BY THE CONTRACTOR INVOLVED. APPLICABLE CODES INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:  CODES 1. CALIFORNIA BUILDING CODE - 2001 EDITION 2. CALIFORNIA PLUMBING CODE - 2001 EDITION 3. CALIFORNIA ELECTRICAL CODE - 2001 EDITION 4. CALIFORNIA MECHANICAL CODE - 2001 EDITION 5. CALIFORNIA FIRE CODE - 2001 EDITION  BUILDING USE: GROC. / P. CONSTRUCTION TYPE: V-V LEVELS: 1  PANDA EXPRESS RESTAURANT AREA EMPLOYEES: 2,030 S.F. INDOOR SEATING: 3 EMPLOYEES/SHIFT (2 SHIFTS PER DAY) OUTDOOR SEATING: 48 SEATS 24 SEATS
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## DRAWING INDEX

T-1.0	TITLE SHEET
A-0.1	SITE PLAN & TRENDS DESIGN
A-1.0	FLOOR PLAN & ROOF PLAN
A-2.0	BUILDING SECTIONS

RECEIVED

NOV 03 2003

CITY OF MILPITAS  
PLANNING DIVISION



PANDA RESTAURANT GROUP INC  
1863 Walnut Grove Ave  
Rosendale, California  
91770  
Telephone 626-799-8889  
Facsimile 626-372-8360

As shown, design, preparation and construction of this project are the responsibility of the architect. The architect is not responsible for the accuracy of the information provided by the owner or the contractor. The architect is not responsible for the accuracy of the information provided by the owner or the contractor.

## REVISIONS

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## ISSUE DATE

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PANDA PROJECT # S3-03-55  
ARCH PROJECT # 050135

## ARCHITECT

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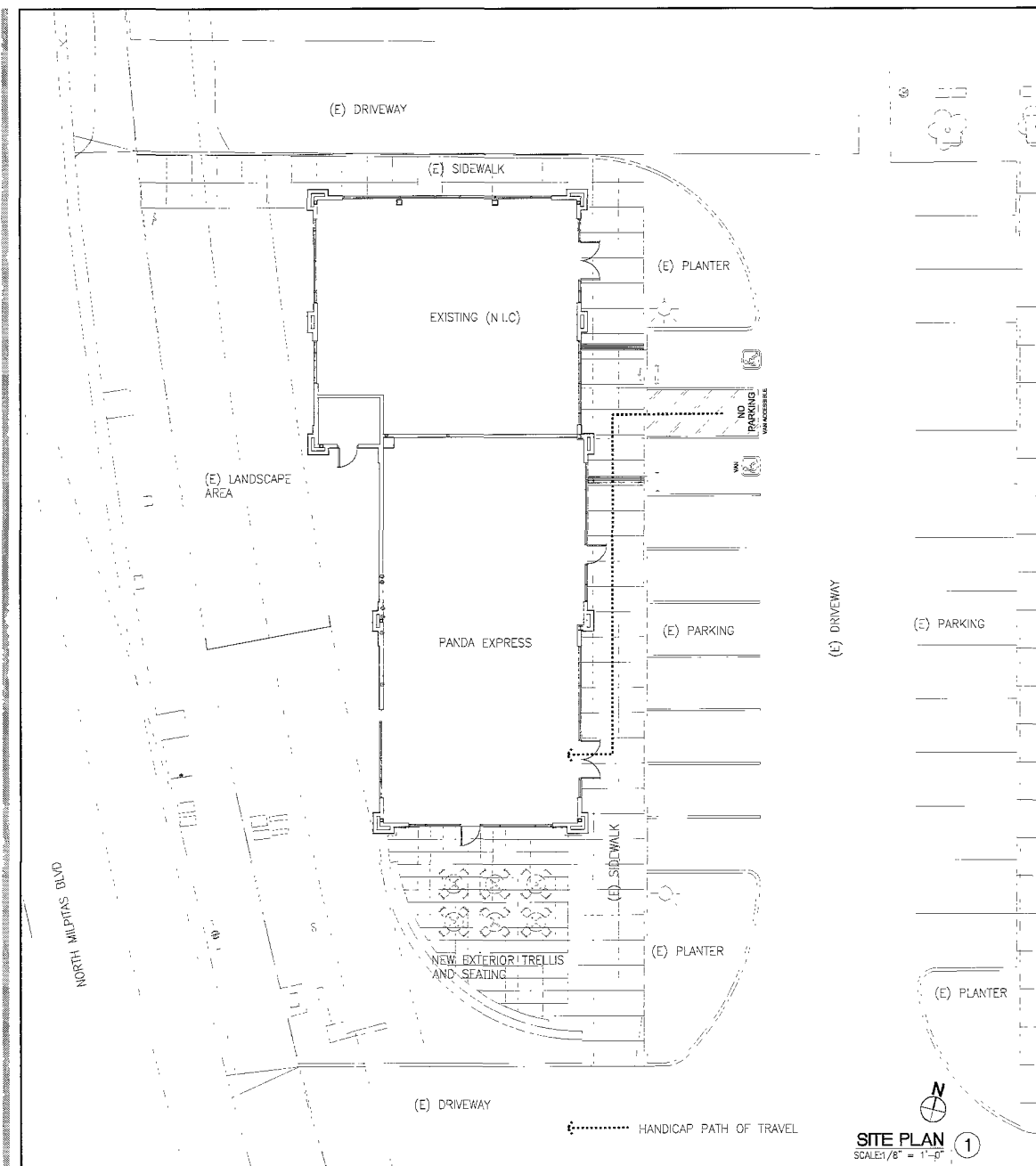


PANDA EXPRESS  
MILPITAS TOWN CENTER

60 NORTH MILPITAS BLVD  
MILPITAS, CA 95035

T-1.0

TITLE SHEET



PANDA RESTAURANT GROUP INC.  
1683 Walnut Grove Ave  
Rosemead, California  
91770  
Telephone: 626.799.9898  
Facsimile: 626.372.8288

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10/26/03		

DRAWN BY: H.W.

PANDA PROJECT # S3-03-55  
ARCH PROJECT # 030135

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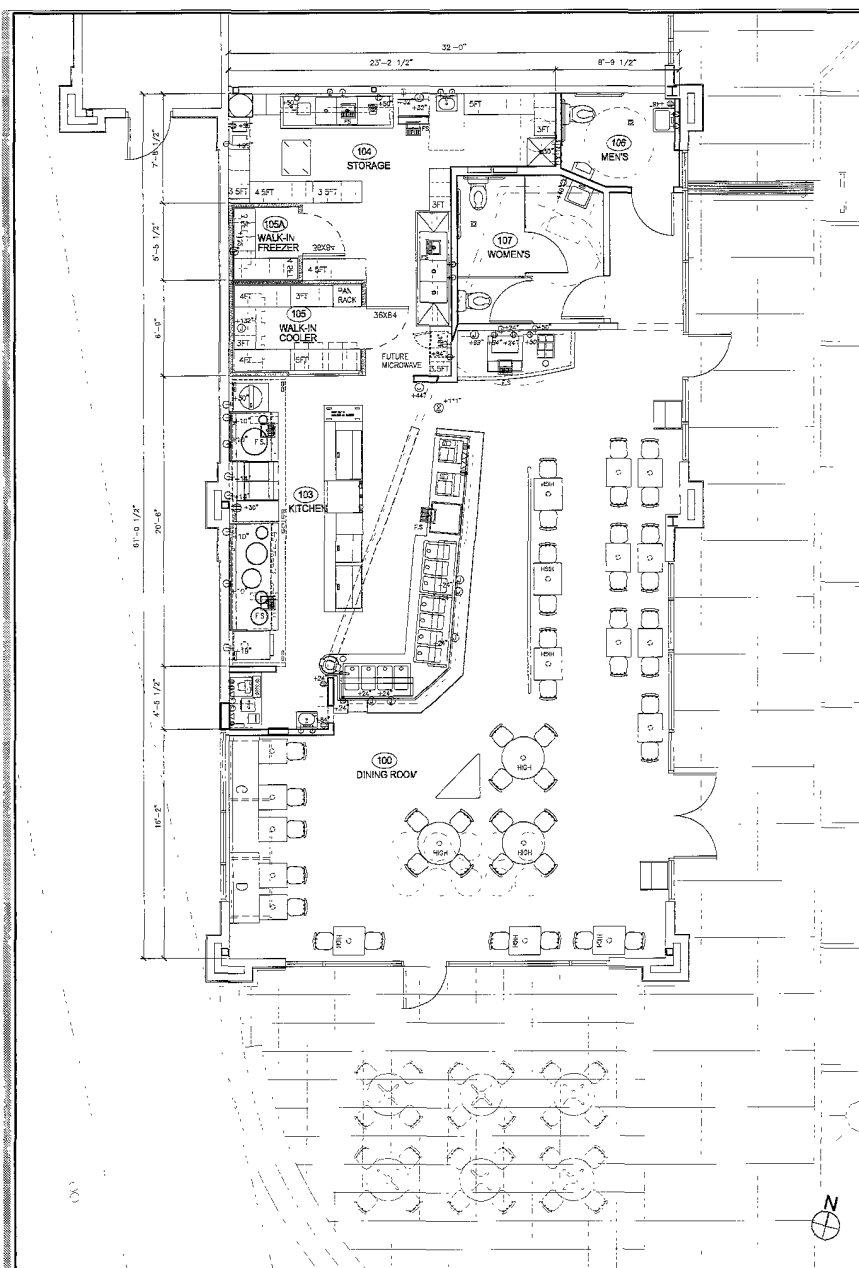
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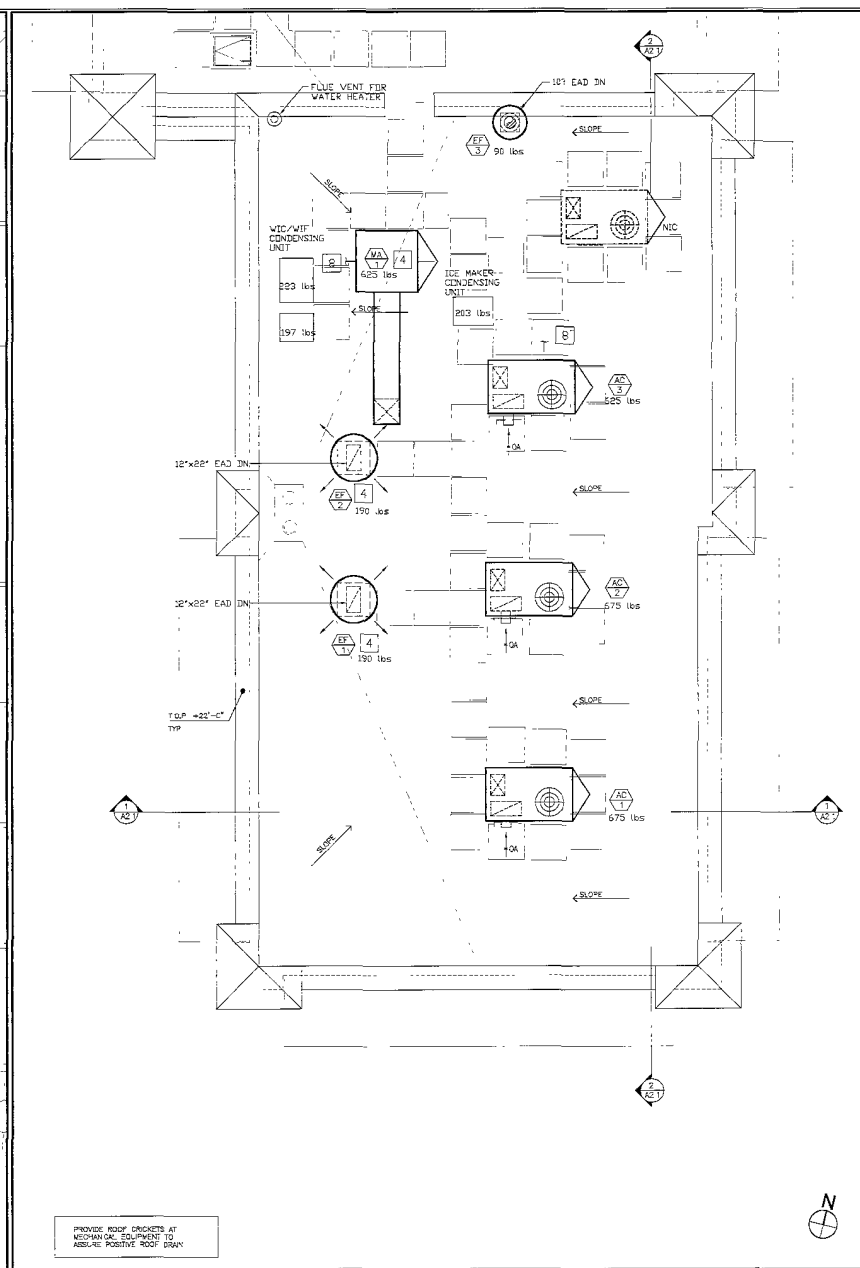
60 NORTH MILPITAS BLVD  
MILPITAS, CA 95035

A-0.1

SITE PLAN +  
TRELLIS DESIGN



**FLOOR PLAN** (1)  
SCALE 1/4"=1'-0"









**ROOF PLAN** (1)  
SCALE  $1/4" = 1' - 0"$



**PANDA RESTAURANT GROUP INC**  
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3RD		
4TH		
5TH		
6TH		

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PANDA PROJECT #, S3-03-55  
ARCH PROJECT #, 030135

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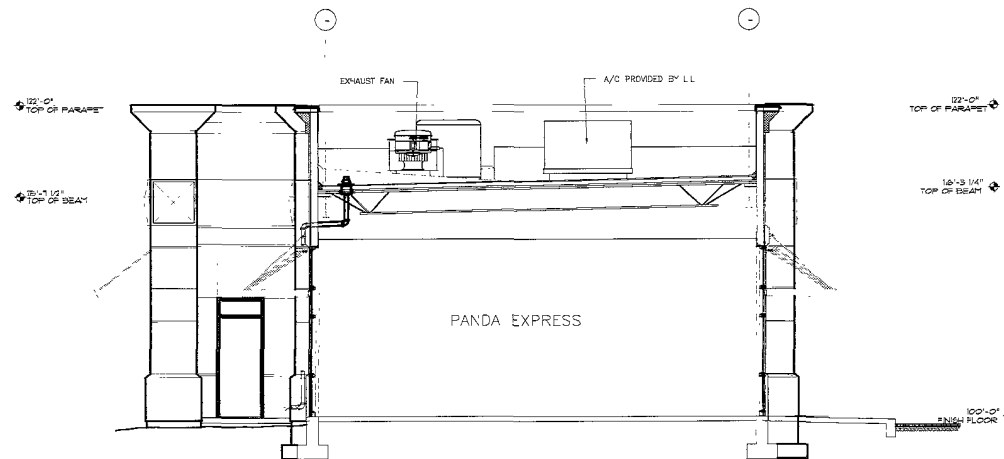


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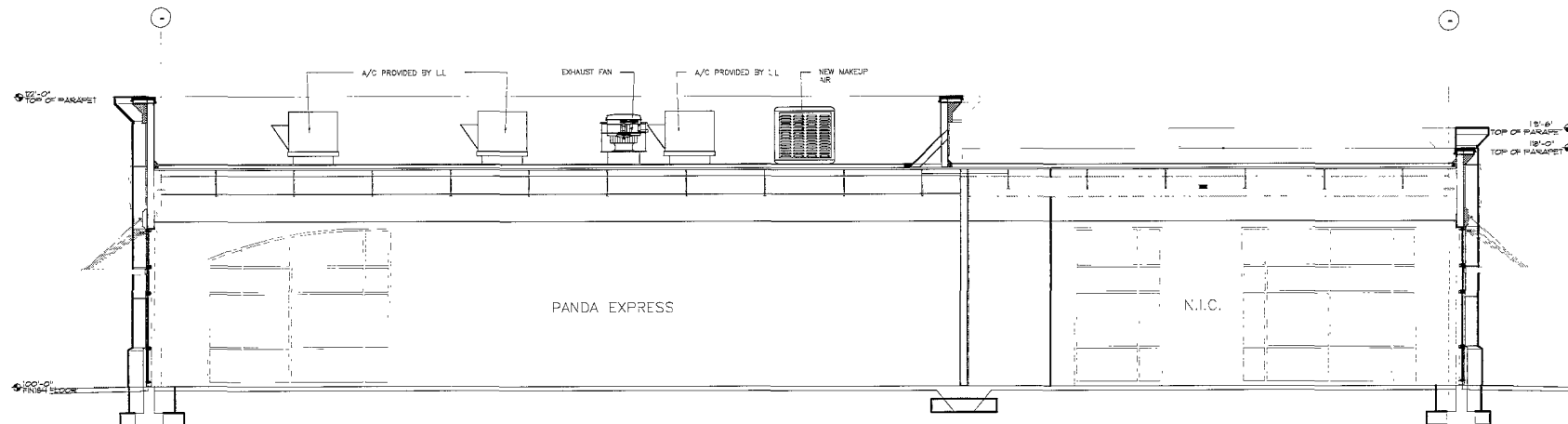
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MILPITAS, CA 95035

## A-1.0

FLOOR PLAN  
AND ROOF PLAN



**BUILDING SECTION ①**  
SCALE 1/4" = 1'-0"



**BUILDING SECTION ②**  
SCALE 1/4" = 1'-0"

ALL SIGNS UNDER  
SEPARATE PERMIT



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**DRAWN BY** HW

**PANDA PROJECT #** S3-03-55  
**ARCH PROJECT #** 030135

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**A-2.0**

**BUILDING SECTIONS**

